

ORDINANCE 2018-12

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, REZONING 0.398 ACRES OF BASTROP TOWN TRACT ABSTRACT 11 AND 2.046 ACRES OF BUILDING BLOCK 12 EAST OF WATER STREET FROM C-2, COMMERCIAL 2 TO CMU, COMMERCIAL MIXED USE CHARACTER ZONE AND EXTEND THE DOWNTOWN BASTROP FORM-BASED CODE REGULATING PLAN AREA, LOCATED WITHIN THE NORTHEAST BLOCK OF SH 95 AND CHESTNUT STREET, WITHIN THE CITY LIMITS OF BASTROP, TEXAS; AS SHOWN IN EXHIBIT A; INCLUDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Quiktrip (hereinafter referred to as "Applicant") submitted a request on behalf of the owners Marvin and Anne Beck, and Bob Patterson, for a rezone of 0.398 acres of Bastrop Town Tract Abstract 11 and 2.046 acres of Building Block 12 East of Water Street, within the City limits of Bastrop, Texas, hereinafter referred to as "the Property"; and

WHEREAS, a location map is attached hereto as Exhibit "A" (the "Property"); and

WHEREAS, the Property is currently zoned as C-2, Commercial 2; and

WHEREAS, pursuant to Section 10.4 of the City's Zoning Ordinance, notice of the rezoning was given to all property owners located within two hundred (200) feet of the Property, and the Planning and Zoning Commission of the City of Bastrop held a public hearing on the rezoning request on July 26, 2018; and

WHEREAS, after notice and hearing, the Planning and Zoning Commission has recommended approval of the proposed request by a vote of 7-0; and

WHEREAS, the City Council of the City of Bastrop held a public hearing on August 14, 2018 to consider the Applicant's request; and

WHEREAS, after consideration of public input received at the hearing, the information provided by the Applicant, and all other information presented, City Council finds that it is in the public interest to approve the rezoning.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS THAT:

Section 1: The Property, situated in 0.398 acres of Bastrop Town Tract Abstract 11 and 2.046 acres of Building Block 12 East of Water Street located at the northeast corner of SH 95 and Chestnut Street, within the city limits of Bastrop, Texas as more particularly shown and described on attachments Exhibit "A", shall be rezoned to the Downtown Bastrop Form-Based Code - CMU, Commercial Mixed Use Character Zone.

Section 2: If any provision of this ordinance or application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions, or application thereof, of this ordinance, which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are hereby declared to be severable.

Section 3: This ordinance shall take effect upon the date of final passage noted below, or when all applicable publication requirements, if any, are satisfied in accordance with the City's Charter, Code of Ordinances, and the laws of the State of Texas.

READ and ACKNOWLEDGED on First Reading on the 14th day of August 2018.


READ and APPROVED on the Second Reading on the 28th day of August 2018.

APPROVED:



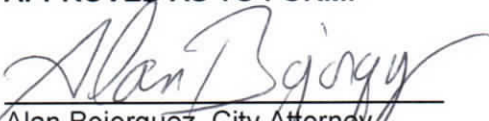
Connie B. Schroeder, Mayor

ATTEST:



Ann Franklin, City Secretary

APPROVED AS TO FORM:



Alan Bojorquez, City Attorney

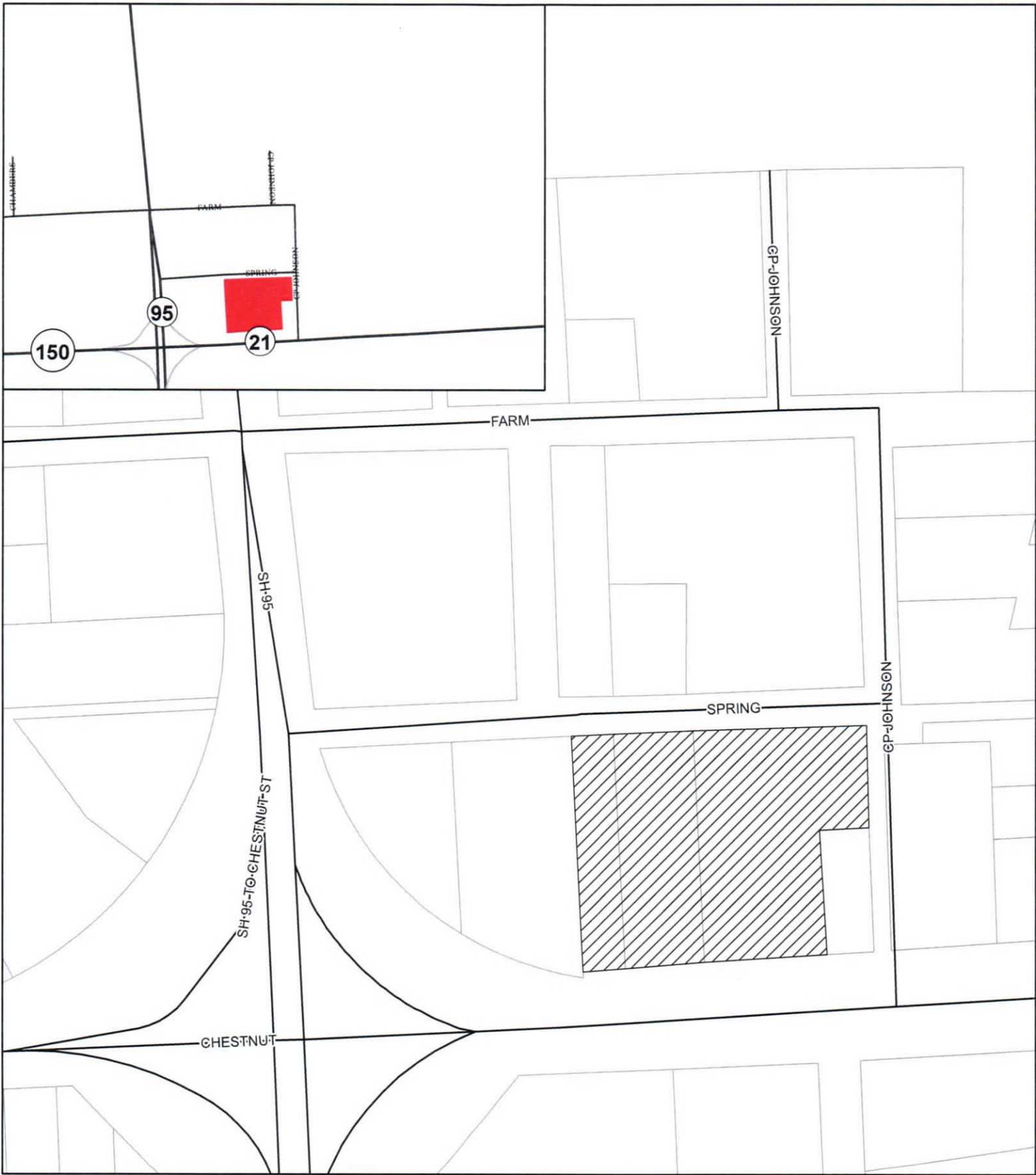


Exhibit A
 Location Map
 Rezone Request
 Quiktrip

Date: 8/3/2018



The accuracy and precision of this cartographic data is limited and should be used for information/planning purposes only. This data does not replace surveys conducted by registered land surveyors nor does it constitute an official verification of zoning, land use classification, or other classification set forth in local, state, or federal regulatory processes. The City of Bastrop, nor any of its employees, do not make any warranty of merchantability and fitness for particular purpose, or assumes any legal liability or responsibility for the accuracy, completeness or usefulness of any such information, nor does it represent that its use would not infringe upon privately owned rights.